

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF VIRGINIA
ABINGDON DIVISION**

UNITED STATES OF AMERICA	:	Case No. 1:17-CR-27
	:	
v.	:	
	:	
JOEL A. SMITHERS	:	GOVERNMENT'S MOTION TO WITHDRAW ADMISSION OF EXHIBIT "RD4"
	:	

The Government respectfully moves for the withdrawal of its motion to admit Exhibit “RD4,” admitted during the recently-concluded trial in this matter. Upon the Clerk’s and the Government’s post-trial review of exhibits, the Government has determined that—although it moved for the admission of RD4 at trial—no such exhibit exists, either in hard copy or electronic form. The Government has notified defense counsel, who has no objection to this motion.

Accordingly, the Government hereby requests that its motion for admission of “RD4” be withdrawn and that the Court strike RD4 from the list of exhibits in the case.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on May 14, 2019, I caused the foregoing to be electronically filed with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to counsel for defendant.

s/ S. Cagle Juhan
Assistant United States Attorney